

**Court of Appeals, Division One**  
**Juvenile**

**1 CA-JV 16-0038**

**GRIC v. DCS, et al.**

**Appellate Case Information**

Case Filed: 5-Feb-2016  
Case Closed:

**Dept/Composition**

**Dept D July 2016**

Hon. Diane M Johnsen  
Hon. Lawrence F Winthrop  
Hon. Randall M Howe

**Side 1. GILA RIVER INDIAN COMMUNITY, Appellant**

**(Litigant Group) GILA RIVER INDIAN COMMUNITY**

- Gila River Indian Community

**Attorneys for: Appellant**

Thomas L Murphy, Sr., Esq. (AZ Bar No. 22953)  
Mandy Cisneros, Esq. (AZ Bar No. 30468)  
April Olson, Esq. (AZ Bar No. 25281)  
Linus Everling, Esq. (AZ Bar No. 19760)

**Side 2. DEPARTMENT OF CHILD SAFETY, SARAH H., JEREMY H., A.D., Appellee**

**(Litigant Group) DCS**

- Department of Child Safety

**Attorneys for: Appellee**

Dawn Rachelle Williams, Esq. (AZ Bar No. 20730)

**(Litigant Group) SARAH H, JEREMY H.**

- Sarah H.
- Jeremy H.

**Attorneys for: Foster Parents**

James Martin Manley, Esq. (AZ Bar No. 31820)  
Aditya Dynar, Esq. (AZ Bar No. 31583)

**(Litigant Group) A.D.**

- A. D.

**Guardian Ad Litem for Child**

Tiffany Mastin, Esq. (AZ Bar No. 25727)

**Side 3. SALT RIVER PIMA MARICOPA INDIAN COMMUNITY et al., Amicus Curiae**

**(Litigant Group) SALT RIVER PIMA MARICOPA INDIAN COMMUNITY et al.**

- Salt River Pima-Maricopa Indian Community
- Cherokee Nation
- Native American Bar Association of Arizona

**Attorneys for: Amicus Curiae**

Cheryl J Scott, Esq. (AZ Bar No. 24541)

**CASE STATUS**

Sep 8, 2016.....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR JD528014	Denial of Gila River Indian Community's Motion Transfer Jurisdiction		Karen L O'Connor, Authoring Judge of Order		

**DESCENDENT CASE(S)**

ASC CV-16-0220-PR

**CASE DECISION**

11-Aug-2016 **OPINION**

Lawrence Winthrop.....Author  
Diane Johnsen.....Concur  
Randall Howe.....Concur

Filed: 11-Aug-2016

Mandate:

Decision Disposition

**Affirmed**

**43 PROCEEDING ENTRIES**

1. 5-Feb-2016 FILED: Notice of Appeal from Maricopa County Superior Court filed 02/03/16 (Gila River Indian Community)

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2. 5-Feb-2016 FILED: Notification of Notice of Appeal Filed (Gila River Indian Community)
3. 5-Feb-2016 FILED: Minute Entry dated 01/29/2016, re: Ruling
4. 12-Feb-2016 FILED: DCS's Notice of Change of Counsel; Certificate of Service for DCS's Notice of Change of Counsel (Appellee)
5. 19-Feb-2016 FILED: Reporter's Transcript-1/5/16-bench trial-(Lori Reinhardt)
6. 19-Feb-2016 FILED: Reporter's Transcript-12/9/15-bench trial-(Lori Reinhardt)
7. 22-Feb-2016 FILED: E-Record on Appeal:  
Instruments/Minute Entries: Combined  
Exhibits: None
8. 23-Feb-2016 FILED: Additional Record on Appeal  
Physical Exhibits:  
Hearing Date: 03/18/2015 - LIST # 1 In Manila Envelope
9. 29-Feb-2016 FILED: Notice of Appearance of Counsel; Certificate of Service of Notice of Appearance (Appellee)
10. 2-Mar-2016 FILED: Notice of Completion of Record
11. 3-Mar-2016 FILED: Additional Record on Appeal  
Physical Exhibits:  
Hearing Date: 12/09/2015 - LIST # 1,2,3,4,5,6,7,8,9,10,11,12,13,14 In Accordion Folder
12. 4-Mar-2016 FILED: Appellant's Motion to Extend Time for Filing Opening Brief; Appellant's Certificate of Service for Motion to Extend Time for Filing Opening Brief (Appellant)
13. 4-Mar-2016 ORDERED: Appellant's Motion to Extend Time for Filing Opening Brief = GRANTED. Due date EXTENDED from Tuesday, 03-22-2016 to Monday, 04-11-2016. Fred Cole ProTem Judge - Author
14. 7-Mar-2016 FILED: Appellant's Notice of Change of Counsel; Appellant's Certificate of Service Change of Counsel (Appellant)
15. 10-Mar-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
16. 11-Apr-2016 FILED: Appellant's Opening Brief; Appellant's Certificate of Compliance; Appellant's Certificate of Service (Appellant)
17. 26-Apr-2016 FILED: Additional Instrument dated 04/22/2016, re: Notice of Appointment (Mother)
18. 2-May-2016 FILED: DCS's Notice of No Brief; Certificate of Service for DCS's Notice of No Brief (Appellee)
19. 9-May-2016 FILED: Answering Brief of Preadoptive Parents, S.H. and J.H.; Appellees' Certificate of Compliance; Appellees' Certificate of Service (Appellee)
20. 31-May-2016 CLNDR: CONFERENCE, Dept D July 2016, 7-19-16, COURTROOM 2.
21. 31-May-2016 FILED: Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
22. 31-May-2016 FILED: Appellant's Contingent Request for Leave to File Supplemental Reply Brief; Certificate of Service (Appellant)
23. 1-Jun-2016 FILED: Guardian ad Litem's Notice of No Brief; Guardian ad Litem's Certificate of Service for Notice of No Brief (Appellee)
24. 7-Jun-2016 FILED: Request for Oral Argument; Appellant's Certificate of Service for Request for Oral Argument (Appellant)
25. 9-Jun-2016 ORDERED: Request for Oral Argument (Appellant) = GRANTED. Setting oral argument in this matter on 07/19/2016 at 10:30 a.m. Hon Diane M Johnsen - Author
26. 10-Jun-2016 FILED: DCS's Notice of Nonparticipation in Oral Argument; DCS's Certificate of Service for Notice of Nonparticipation in Oral Argument; Return Receipt for Notice of Oral Argument (Appellee)
27. 20-Jun-2016 FILED: Preadoptive Parents' Response to Appellant's Contingent Request for Leave to File Supplemental Brief; Appellees'. Preadoptive Parents'. Certificate of Service (Appellee)
28. 21-Jun-2016 FILED: Brief of Amici Curiae Salt River Pima Maricopa Indian Community, Cherokee Nation, and the Native American Bar Association of Arizona in Support of Appellant; Certificate of Compliance; Certificate of Service (Amicus Curiae)

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29.	27-Jun-2016	ORDERED: Brief of Amici Curiae is accepted as filed. FURTHER ORDERED: parties may file a response to the brief on/before 07/08/2016. Hon Lawrence F Winthrop - Author
30.	5-Jul-2016	FILED: Appellant's Reply to Foster Parents' Response to Contingent Request for Leave to File Supplemental Reply Brief; Certificate of Service for Appellant's Reply to Foster Parents' Response to Contingent Request for Leave to File Supplemental Reply Brief (Appellant)
31.	5-Jul-2016	FILED: Appellant's Supplemental Citation of Legal Authority; Certificate of Service for Appellant's Supplemental Citation of Legal Authority; Attachment 1 - Final Rule; Attachment 2 - Solicitor's Memo (Appellant)
32.	6-Jul-2016	FILED: Return Receipt for Notice of Oral Argument (Appellant)
33.	6-Jul-2016	ORDERED: Appellant's Contingent Request for Leave to File Supplemental Reply Brief = GRANTED. Hon Lawrence F Winthrop - Author
34.	8-Jul-2016	FILED: Preadoptive Parents' Response to Brief of Amici Curiae Salt River Pima Maricopa Indian Community, Cherokee Nation, and the Native American Bar Association of Arizona; Appellee's Certificate of Compliance; Appellee's Certificate of Service (Appellees Sarah H., Jeremy H.)
35.	11-Jul-2016	FILED: Return Receipt Re Oral Argument, signed by Aditya Dynar, on 6/9/16 (Appellee Foster Parents)
36.	15-Jul-2016	FILED: Motion to Strike; Certificate of Service for Appellant's Motion to Strike (Appellant)
37.	19-Jul-2016	FILED: Sign-in Sheet/Case is Under Advisement (Dept D)
38.	5-Aug-2016	FILED: Appellant's Motion to Supplement Record; Certificate of Service Appellant's Motion to Supplement Record; Order Transferring Case (Appellant)
39.	11-Aug-2016	OPINION (Affirmed) Hon Lawrence F Winthrop - Author; Hon Diane M Johnsen - Concur; Hon Randall M Howe - Concur
40.	11-Aug-2016	FILED: Opinion Decision Distribution List
41.	16-Aug-2016	ORDERED: Denying the Motion to Strike as moot. Hon Lawrence F Winthrop - Author
42.	8-Sep-2016	FILED: Email Notice from ASC re: Petition for Review filed 9/7/16; request for partial record
43.	8-Sep-2016	FILED: Letter forwarding partial record to Arizona Supreme Court